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of the original land by this trustee. *Dorsey v. Wolcott* (1898) 173 Ill. 539; *Taylor v. Kelly* (1857) 3 Jones (N. C. Eq.) 240; cf. *Huxley v. Rice* (1879) 40 Mich. 73; *Kinney v. Keplinger* (1899) 89 Ill. App. 570.

A. S. B.

INTERNATIONAL LAW—JURISDICTION OF THE UNITED STATES COURTS IN THE APPAM CASE.—THE APPAM (MARCH 6, 1917) U. S. SUP. CT., OCT. TERM, 1916, NOS. 650 AND 722.—The Appam, an English vessel, captured by a German raider, came into the port of Hampton Roads, an unconvoyed prize, for purposes of permanent internment rather than seeking to secure a temporary asylum. *Held*, that restitution of the vessel would be made to the English owners.

For a discussion of the principles involved in this case in accord with the decision of the U. S. Supreme Court, see comment (1916) 26 YALE LAW JOURNAL, 148.

G. S., JR.

MARRIAGE—FRAUD—ANNULMENT ON GROUND OF REFUSAL TO COHABIT.—SAMUELS V. SAMUELS (1917) 56 N. Y. L. J. 2052.—The husband brought an action for the annulment of a marriage on the ground of fraud by the wife in entering into the marriage contract. The plaintiff alleged and proved that the respondent had a preconceived intention not to permit marital intercourse; that she had carried out her intention, and that the marriage, in consequence, had not been consummated. *Held*, that the marriage would be annulled for fraud.

The decision in the principal case is the first of its kind in the state of New York, although there are dicta to the same effect in several cases in that state. For a discussion of earlier American cases in which the same conclusion was reached on a similar statement of facts, see *Anders v. Anders* (1916) 113 N. E. (Mass.) 203 in (1916) 26 YALE LAW JOURNAL, 159.

B. L.

MASTER AND SERVANT—WORKMEN'S COMPENSATION ACT—EXCLUSIVE CHARACTER.—SHANAHAN V. MONARCH ENGINEERING CO. (1916) 114 N. E. (N. Y.) 795.—The constitution of New York, Art. I, sec. 18, declares that the right to recover damages for injuries resulting in death shall never be abrogated. Sec. 19, added in 1913, says that nothing in the constitution shall limit the power of the legislature to enact laws for the protection of employees and for compensation for injuries and death, and that the legislature may make these rights and remedies exclusive. The Code of Civil Procedure, sec. 1902, provides an action for wrongful death for the benefit, among others, of brothers and sisters. The Workmen's Compensation Act (Consol. Laws, chap. 67) provides that every subscribing employer shall pay compensation according to the schedules stated, and that as to such employers this liability shall be exclusive. Provision is then made for dependent parents, wives, husbands, and